

MAY 1 1997

Federal Communications Commission  
Office of Secretary**-Facsimile Cover Sheet -****Hawaii Educational Networking Consortium**  
Department of Education / East-West Center / University of Hawaii

87-268

Date: 4/29/97Page 1 of 5To: Chairman Reed Hundt  
FCCFax#: (202) 418-0232Washington, DCFrom: Marlon WedemeyerPhone#: (808) 956-2776Notes/Memo: The following Letter is submitted  
relating to: Universal Service;  
DTV and Public Spectrum.P.S.The original will be sent via Postal Service. Thank You.

A handwritten signature in cursive script, appearing to read 'Marlon J. Wedemeyer', is written over a horizontal line.

Direct inquiries to:

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**Hawaii Educational Networking Consortium**  
Department of Education / East-West Center / University of Hawaii

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April 29, 1997

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Federal Communications Commission  
Office of Secretary

Reed Hundt  
Chairman  
Federal Communications Commission  
1919 M Street N.W.  
Washington, D.C. 20554

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Dear Chairman Hundt,

The purpose of this communication is to share the collective views of the Hawaii Educational Networking Consortium. HENC is an alliance formed in 1994 by the University of Hawaii, the State Department of Education and the East-West Center. The mission of the consortium is to facilitate and accelerate the use of telecommunications technology in education and research in the State of Hawaii. Collectively these three entities have a combined user base of over 370,000 students, adult learners, faculty, and staff within the State.

HENC would like to forward to you our observations on two recent issues before the FCC and provide our input for the record. The two issues relate to:

- 1) Universal Service and discounted rates to education; and, 2) Digital Television (DTV) and the potential public interest benefits that education could receive from spectrum allocation.

**1) Relating to Universal Service**

After reviewing the FCC's recommended Universal Service decision constructed by the Federal-State Joint Board we offer the following comments on the upcoming May decision and the relationship of education to the

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telecommunication infrastructure. Overall HENC believes that the proposed direction that the joint board has identified in their support for schools and libraries is equitable.

We find that the Joint Board recommendations are largely consistent with our perception of the intent of the Telecommunications Act of 1996. The recommendations for all qualified schools and libraries to be made eligible to receive discounts of between 20 and 90 percent on all telecommunications services, Internet access, and internal cable connections is fair. We are also pleased that the board concluded that economically disadvantaged schools and libraries, as well as schools and libraries located in high cost areas (such as Hawaii), should receive greater discounts to ensure that they have affordable and equal access to telecommunication and information services.

The proposed rules would be good for K-12 education in Hawaii. Since Hawaii has been already been aggressive in seeking connectivity for the public schools, HENC firmly believes it is important that the final Universal Service rules apply the discount levels to *already-existing programs and contracts*.

There is one additional point of great interest to HENC. In the Joint Explanatory Statement of the Committee of Conference of the Telecommunications Act of 1996, on page 19, New subsection (h)(5) which defines the entities that are eligible for discounts the following statement is made:

*"The conferees intend that consortiums (sic) of educational institutions providing distance learning to elementary and secondary schools be considered an educational provider for purposes of this section."*

We believe that this statement and our on-going collaboration should open the door for discounts for the University of Hawaii. As a point of interest, today the University of Hawaii's Distance Learning and Instructional

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Technology (DLIT) division estimates that 25% of its staff time is spent on the delivery of distance learning services in support of elementary and secondary education. Subsequently, HENC is very interested in having this conference committee language recognized by the FCC ruling.

## **2. Relating to Education and Digital Television (DTV)**

The FCC, in its April 3, 1997 new policy statement relating to DTV, shows an aggressive move away from its previous "command and control policy" toward a market orientation for the business of digital television. This is demonstrated by the Commission's adoption of a DTV plan described by yourself as one that calls for "instant licensing and a rapid build out."

While HENC applauds this market driven move we also believe that great and immediate attention must be paid to the public interest benefits that education should receive from digital television and this public spectrum. We are concerned that the Commission has not yet adopted specific new public interest rules for broadcasters in the digital world. Instead, you have deferred the policy making on this matter which calls out for a clear definition of public interest obligations.

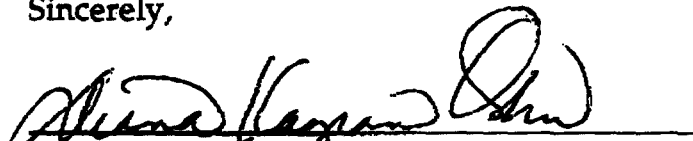
HENC believes that it is critical that the FCC attaches immediate and specific public interest duties to the new DTV licenses. What is needed is clear, enforceable conditions requiring educational mandates. Given the many thousands of additional programming hours that will be available to broadcasters using digital technology, we believe that a modest 5% of programming time on digital TV at a minimum should be devoted to public interest.

We are hopeful that the FCC, with or without guidance from the administration or Congress will mandate those who are charged with overseeing the "instant and rapid DTV build out" to also expend considerable and immediate time to stake a claim for public benefits from this public spectrum before it is fully opened for commercial development. We believe that the time for this discussion is now.

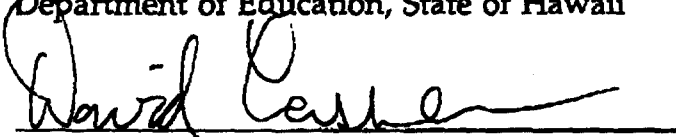
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In conclusion we would like to thank you for your tireless efforts in forging new policy relating to all aspects of the complex communication arena. We have hope that the rules that are currently in formation will be viewed in the future as the enduring foundation of the information super highway. It is our hope that these rules will assist the schools and libraries to better serve the people and also plan for parks and rest areas along the way.

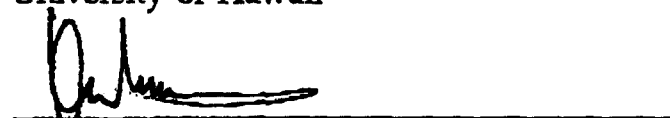
Sincerely,

  
Diana Kaapana Osipiro


Assistant Superintendent, Office of Information & Telecommunication Services  
Department of Education, State of Hawaii



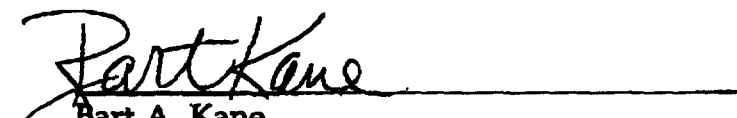
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